1. Citation

These regulations are the *Local Government (Constitution) Amendment Regulations 2014*. 

Made by the Governor in Executive Council.
2. **Commencement**

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the Gazette;

(b) the rest of the regulations — on the day after that day.

3. **Regulations amended**

These regulations amend the *Local Government (Constitution) Regulations 1998*.

4. **Regulation 4 amended**

After regulation 4(2) insert:

(3) If, on the commencement of the order referred to in subregulation (1), a part of the area of a district ("district A") (which is not abolished) is included in the area of the new district ("district B"), then on that commencement any Crown land that is in that part of district A and that, immediately before that commencement, is under the care, control and management of local government A becomes under the care, control and management of local government B on the same conditions to which the care, control and management of that Crown land by local government A were subject.

5. **Regulation 5 amended**

(1) In regulation 5(4):

(a) before paragraph (a) insert:

(aa) any Crown land that is in that part of district B and that, immediately before commencement, is under the care, control and management of local government B becomes under the care, control and management of local government A on the same conditions to which the care, control and management of that Crown land by local government B were subject; and

(b) in paragraph (c) delete "town planning scheme that is in force under the Town Planning and Development Act 1928 —" and insert:

local planning scheme that is in force under the Planning and Development Act 2005 —
(2) In regulation 5(4) after each of paragraphs (a) to (c) and (c)(i) insert:

and

6. **Regulation 6 amended**

(1) In regulation 6(4)(d) delete “town planning scheme that is in force under the *Town Planning and Development Act 1928 —*” and insert:

local planning scheme that is in force under the *Planning and Development Act 2005 —*

(2) In regulation 6(5):

(a) before paragraph (a) insert:

(aa) any Crown land that is in that part of district A and that, immediately before commencement, is under the care, control and management of local government A becomes under the care, control and management of local government B on the same conditions to which the care, control and management of that Crown land by local government A were subject; and

(b) in paragraph (c) delete “town planning scheme that is in force under the *Town Planning and Development Act 1928 —*” and insert:

local planning scheme that is in force under the *Planning and Development Act 2005 —*

(3) In regulation 6 after each of subregulations (4)(a) to (i), (4)(d)(i), (5)(a) to (d) and (5)(c)(i) insert:

and

7. **Regulation 7 amended**

(1) Delete regulation 7(1) and insert:

(1) In this regulation —

*commencement* means —

(a) in subregulation (2), the commencement of the order referred to in subregulation (2);
(b) in subregulation (3), the commencement of the order referred to in subregulation (3).

(2) After regulation 7(2) insert:

(3) If as a result of an order made under section 2.1 an area of the State is included in the area of another district ("district A") and the area of the State includes —

(a) a part of the area of a district ("district B") the boundaries of which are changed by the order; or

(b) the whole, or a part, of the area of a district ("district C") that is abolished by the order; or

(c) a combination of the areas described in paragraphs (a) and (b),

then on commencement —

(d) the local laws that applied in that part of the area of district B immediately before the commencement continue to apply in respect of that part of the area of district B that is included in district A; and

(e) the local laws that applied in the whole, or that part, of the area of district C immediately before the commencement continue to apply in respect of the whole, or that part, of the area of district C that is included in district A; and

(f) the local laws of local government C continue to apply in respect of the whole, or that part, of the area of district C that is included in district A; and

(g) the local laws of local governments B and C, in so far as they continue to apply in respect of those areas —

(i) are to be administered and enforced by local government A; and

(ii) subject to Part 3 Division 2 of the Act, may be amended or repealed by local government A,

as if they were local laws of local government A; and

(h) until the local laws of local government A provide otherwise, the local laws of local government A do not apply in respect of —

(i) that part of the area of district B that is included in district A; or

(ii) the whole, or that part, of the area of district C that is included in district A.
(3) In regulation 7(2):
   (a) after paragraph (a) insert:

       or

   (b) after each of paragraphs (d) and (e) insert:

       and

8. Regulation 11G amended

After regulation 11G(1)(a) insert:

       and

R. KENNEDY, Clerk of the Executive Council.